

**Notice of Allowability**

Application No.

10/015,334

Examiner

Huy D. Nguyen

Applicant(s)

MIERNIK, JERZY W.

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/12/2005.
2. ☒ The allowed claim(s) is/are 1,3,4,6-11,13,14,16-21,23,24,26-33,35-38,40-43,45-48,50,51,53-56,58-63,65 and 66.
3. ☒ The drawings filed on 11 December 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>02.28.2005</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                                 | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Thomas Frame on 6/14/2005.

The application has been amended as follows:

Claim 1, line 12: after "elapsed", "." has been deleted; -- ; -- has been inserted.

Claim 1, line 13: the following language has been inserted: -- determining whether the registration request is associated with an active wireless session; and initiating the establishment of a wireless session if the registration request is not associated with an active wireless session.--

Claim 3, line 1: after " Claim", "2" has been deleted; -- 1 -- has been inserted.

Claim 11, line 15: after "elapsed", "." has been deleted; -- ; -- has been inserted.

Claim 11, line 16: the following language has been inserted: -- means for determining whether the registration request is associated with an active wireless session; and means for initiating the establishment of a wireless session if the registration request is not associated with an active wireless session.--

Claim 13, line 1: after " Claim", "12" has been deleted; -- 11 -- has been inserted.

Claim 21, line 12: after "elapsed", "." has been deleted; -- ; -- has been inserted.

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Claim 21, line 13: the following language has been inserted: -- determining whether the registration request is associated with an active wireless session; and initiating the establishment of a wireless session if the registration request is not associated with an active wireless session.--

Claim 23, line 1: after " Claim", "22" has been deleted; -- 21 -- has been inserted.

Claim 31, line 13: after "originated", "." has been deleted; -- ; -- has been inserted.

Claim 31, line 14: the following language has been inserted: -- determining the time elapsed since receiving the wireless session inquiry; and generating a second wireless session inquiry if a predetermined amount of time has elapsed, the second wireless inquiry directed to a different group of serving nodes than the first wireless session inquiry. --

Claim 40, line 1: after " Claim", "39" has been deleted; -- 31 -- has been inserted.

Claim 41, line 11: after "originated", "." has been deleted; -- ; -- has been inserted.

Claim 41, line 12: the following language has been inserted: -- determining the time elapsed since receiving the wireless session inquiry; and generating a second wireless session inquiry if a predetermined amount of time has elapsed, the second wireless inquiry directed to a different group of serving nodes than the first wireless session inquiry. --

Claim 40, line 1: after " Claim", "49" has been deleted; -- 41 -- has been inserted.

Claim 51, line 17: after "mobile unit", "." has been deleted; and the following language has been inserted: -- , wherein it is determined whether the registration request is associated with an active wireless session; and the establishment of a wireless session is initiated if the registration request is not associated with an active wireless session.--

Claim 56, line 16: after "mobile unit", "." has been deleted; and the following language has been inserted: -- , wherein it is determined whether the registration request is associated with

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an active wireless session; and the establishment of a wireless session is initiated if the registration request is not associated with an active wireless session.--

Claim 62, line 12: after “mobile unit”, “.” has been deleted; and the following language has been inserted: -- , wherein it is determined whether the registration request is associated with an active wireless session; and the establishment of a wireless session is initiated if the registration request is not associated with an active wireless session.--

Claim 63, line 12: after “inquiry”, “.” has been deleted; -- ; -- has been inserted.

Claim 63, line 13: the following language has been inserted: -- determining whether a wireless session response associated with the second session inquiry has been received; and relaying the session response to the group of serving nodes from which the first session inquiry originated if the session response has been received. --

Claim 65, line 11: after “mobile unit”, “.” has been deleted; and the following language has been inserted: -- , wherein it is determined whether the registration request is associated with an active wireless session; and the establishment of a wireless session is initiated if the registration request is not associated with an active wireless session. --

Claim 66, line 11: after “inquiry”, “.” has been deleted; -- ; -- has been inserted.

Claim 66, line 12: the following language has been inserted: -- determining whether a wireless session response associated with the second session inquiry has been received; and relaying the session response to the group of serving nodes from which the first session inquiry originated if the session response has been received. --

Claims 2, 12, 22, 39, 49, 64, and 67 have been canceled.

2. The following is an examiner’s statement of reasons for allowance:

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Regarding claims 1, 11, 21, 51, 56, 62, and 65, the closest prior arts, Purnadi et al. (U.S. 2002/0068565 A1) and Martin et al. (U.S. Patent No. 6,198,916), either singularly or in combination, fail to teach a method for selecting a wireless serving node, comprising: receiving a wireless registration request at a wireless serving node; determining whether the serving node is managing a wireless session associated with the registration request; generating a wireless session inquiry for a group of associated wireless serving nodes if the serving node is not managing a wireless session associated with the registration request; receiving a wireless session response containing a serving node identifier; generating a wireless registration response containing the serving node identifier; determining the time elapsed since generating the wireless session inquiry; and initiating the establishment of a wireless session if a predetermined amount of time has elapsed; determining whether the registration request is associated with an active wireless session; and initiating the establishment of a wireless session if the registration request is not associated with an active wireless session.

Regarding claims 31, and 41, the closest prior arts, Purnadi et al. and Martin et al., either singularly or in combination, fail to teach a method for selecting a wireless serving node, comprising: receiving, at a wireless serving node, a wireless session inquiry from an associated wireless serving node; determining whether the serving node is managing a wireless session associated with the session inquiry; generating a wireless session response containing an identifier for the serving node if the serving node is managing a wireless session associated with the session inquiry; determining whether the serving node is associated with a network from which the session inquiry originated; and generating a wireless session response containing an identifier for the serving node only if the serving node is associated with the network from which

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the session inquiry originated; determining the time elapsed since receiving the wireless session inquiry; and generating a second wireless session inquiry if a predetermined amount of time has elapsed, the second wireless inquiry directed to a different group of serving nodes than the first wireless session inquiry.

Regarding claim 61, the closest prior arts, Purnadi et al. and Martin et al., either singularly or in combination, fail to teach a method for selecting a wireless serving node, comprising: receiving an A11-Registration Request at a wireless serving node; examining a Mobile Event Identifier in the registration request to determine whether the registration request is associated with an active wireless session, initiating the establishment of a wireless session if the registration request is not associated with an active wireless session; searching a table containing information regarding wireless sessions being managed by the serving node to determine whether the serving node is managing a wireless session associated with the registration request if the registration request is associated with an active wireless session, generating an A11-Registration Reply indicating acceptance of the registration request if the serving node is managing a wireless session associated with the registration request, generating a multicast message containing a wireless session inquiry for a group of associated wireless serving nodes if the serving node is not managing a wireless session associated with the registration request, the wireless session inquiry including an International Mobile Subscriber Identifier and an Access Network Identifier; determining the time elapsed since generating the wireless session inquiry, initiating the establishment of a wireless session if a predetermined amount of time has elapsed; receiving a multicast message including a wireless session response containing a serving node identifier; generating an A11-Registration Reply indicating denial of the registration request and

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containing the serving node identifier; receiving a multicast message containing a wireless session inquiry from an associated wireless serving node; searching the table to determine whether the serving node is managing a wireless session associated with the session inquiry.

Regarding claims 63, and 66, the closest prior arts, Purnadi et al. and Martin et al., either singularly or in combination, fail to teach a method for selecting a wireless serving node, comprising: receiving, at a wireless serving node, a wireless session inquiry from an associated wireless serving node; determining whether the serving node is managing a wireless session associated with the session inquiry; generating a wireless session response containing an identifier for the serving node if the serving node is managing a wireless session associated with the session inquiry; determining the time elapsed since receiving the wireless session inquiry; and generating a second wireless session inquiry if a predetermined amount of time has elapsed, the second wireless inquiry directed to a different group of serving nodes than the first wireless session inquiry; determining whether a wireless session response associated with the second session inquiry has been received; and relaying the session response to the group of serving nodes from which the first session inquiry originated if the session response has been received.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Contact Information***

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*W*

Huy Nguyen

  
JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER